

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

NOV 27 2012

AO 245E (Rev. 12/03) Judgment in a Criminal Case for Organizational Defendants  
Sheet 1 Revised by WAED - 02/11

## UNITED STATES DISTRICT COURT

JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

Eastern

District of

Washington

UNITED STATES OF AMERICA

V.

SMITH CHROME PLATING, INC.

## JUDGMENT IN A CRIMINAL CASE

(For Organizational Defendants)

CASE NUMBER: 2:12CR06047-001

John T. Cooke

Defendant Organization's Attorney

## THE DEFENDANT ORGANIZATION:

☒ pleaded guilty to count(s) 1 of the Information☐ pleaded nolo contendere to count(s) \_\_\_\_\_  
which was accepted by the court.☐ was found guilty on count(s) \_\_\_\_\_  
after a plea of not guilty.

The organizational defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
33 U.S.C. § 1319(c)(1)(A)	Violation of Clean Water Act Pretreatment Requirements	4/30/2010	1

The defendant organization is sentenced as provided in pages 2 through 5 of this judgment.

☐ The defendant organization has been found not guilty on count(s) \_\_\_\_\_☐ Count(s) \_\_\_\_\_ ☐ is ☐ are dismissed on the motion of the United States.

It is ordered that the defendant organization must notify the United States attorney for this district within 30 days of any change of name, principal business address, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant organization must notify the court and United States attorney of material changes in economic circumstances.

11/19/2012

Date of Imposition of Judgment

Fred Van Sickle

Signature of Judge

Fred L. Van Sickle

Name of Judge

Senior Judge, U.S. District Court

Title of Judge

November 27, 2012

Date

DEFENDANT ORGANIZATION: SMITH CHROME PLATING, INC.  
CASE NUMBER: 2:12CR06047-001

### PROBATION

The defendant organization is hereby sentenced to probation for a term of :  
5 years

The defendant organization shall not commit another federal, state or local crime.

If this judgment imposes a fine or a restitution obligation, it is a condition of probation that the defendant organization pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant organization must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page (if indicated below).

### STANDARD CONDITIONS OF SUPERVISION

- 1) within thirty days from the date of this judgment, the defendant organization shall designate an official of the organization to act as the organizations's representative and to be the primary contact with the probation officer;
- 2) the defendant organization shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 3) the defendant organization shall notify the probation officer ten days prior to any change in principal business or mailing address;
- 4) the defendant organization shall permit a probation officer to visit the organization at any of its operating business sites;
- 5) the defendant organization shall notify the probation officer within seventy-two hours of any criminal prosecution, major civil litigation, or administrative proceeding against the organization;
- 6) the defendant organization shall not dissolve, change its name, or change the name under which it does business unless this judgment and all criminal monetary penalties imposed by this court are either fully satisfied or are equally enforceable against the defendant's successors or assignees; and
- 7) the defendant organization shall not waste, nor without permission of the probation officer, sell, assign, or transfer its assets.

DEFENDANT ORGANIZATION: SMITH CHROME PLATING, INC.  
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### **SPECIAL CONDITIONS OF SUPERVISION**

- 8) The Defendant's place of business and all property subject to the control of the Defendant, including vehicles, storage space, file spaced (including electronically stored files), and subject to search at the direction of the Probation Officer;
- 9) The Defendant shall comply with the "Agreed Order and Penalty Number 8971" issued by the Washington Department of Ecology with respect to hazardous waste and pretreatment violations that occurred at the Facility between December 2009 and May 2010.

\* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT ORGANIZATION: SMITH CHROME PLATING, INC.  
CASE NUMBER: 2:12CR06047-001Judgment — Page 5 of 5**SCHEDULE OF PAYMENTS**

Having assessed the organization's ability to pay, payment of the total criminal monetary penalties are due as follows:

- A ☐ Lump sum payment of \$ \_\_\_\_\_ due immediately, balance due
- ☐ not later than \_\_\_\_\_, or
- ☐ in accordance with ☐ C or ☐ D below; or
- B ☒ Payment to begin immediately (may be combined with ☐ C or ☒ D below); or
- C ☐ Payment in \_\_\_\_\_ (e.g., equal, weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☒ Special instructions regarding the payment of criminal monetary penalties:

The fine is to be paid in installments as follows: \$5,000.00 is due within 48 hours of sentencing; \$5,000.00 is due on or before February 4, 2014; and \$5,000.00 is due on or before February 4, 2015.

All criminal monetary penalties are made to the clerk of the court.

The defendant organization shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

- ☐ The defendant organization shall pay the cost of prosecution.
- ☐ The defendant organization shall pay the following court cost(s):
- ☐ The defendant organization shall forfeit the defendant organization's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.